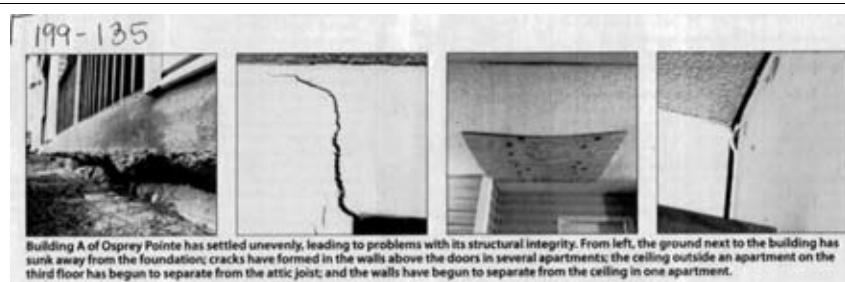


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Senior tenants forced to move



Kitty Smart packs up belongings in her apartment at Osprey Pointe on Friday as she prepares to move from the complex. The residents of Osprey Pointe must move because the complex was declared unsafe. Both Building A and Building B could be condemned once all tenants have moved.

North Charleston officials declare apartments unsafe

BY WARREN WISE
The Post and Courier

When 82-year-old Kitty Smart saw the eviction note slipped under her door Thursday, March 15, she was shocked.

The letter from Osprey Pointe Apartment officials told the widow and other tenants in the 72-unit senior housing complex they had to vacate the buildings because North Charleston officials deemed them unsafe.

"We had no warning whatsoever that anything like this was going to happen," said Smart, who has lived at the apartment complex for six years. "I wondered, 'Where am I going to live? How am I going to find a place?'"

Mary Dawson, 75, went through the same experience. So did Budd Smith, 85, and his wife, Irma.

They have all lived there for years, many of them since the two three-story buildings opened in early 2001.

Apartment officials met with residents March 16 and told them they had to be out in 15 days. The March 30 deadline is absolute for those in Building A. Residents in Building B will be given a little longer, North Charleston Building Official Darbis Briggman said Friday.

"They said that on April 7 it would be boarded up," said Smith, who lives in Building B and works as a security guard at a downtown Charleston jewelry store.

The apartment owners are paying all moving expenses, helping residents find new apartments, paying the difference in residents' rents at new locations for 12 months and

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giving them \$100 to transfer utilities, Osprey Pointe attorney Bill Bundy said.

"The leases provide for only 30 days' notice," Bundy said. "All of the stuff they are doing, they are doing out of good will, not out of any legal obligation."

On March 7, Briggman looked at the building and brought in an independent engineer to inspect its safety and stability.

"I felt it was unsafe," he said. "It's not condemned because it's still

intact, but it's unsafe and uninhabitable. We want to get everybody out."

Briggman said it probably will be condemned once all the tenants are gone.

He said he thinks the structural piling has failed. "The failure is with the foundation," he said.

Hallways sag, sheetrock cracks and doors jam against their no-longer-squared frames. A dark, hollow space is clearly visible beneath one building's concrete foundation.

In March 2006, Osprey Pointe Apartments Limited Partnership filed suit against Vercon Construction Inc. of Greenville, Miller/Player & Associates Architects and Planners, also of Greenville, and the bonding company, Liberty Mutual Insurance Co.

The lawsuit claims the materials and workmanship structures were defective and that the buildings and the foundation were not designed or installed

properly.

"The structure is not fit for its intended purpose and will have to be demolished and rebuilt," the suit says.

Defendants' attorney Teddy Manos said the apartments were constructed in 2000 by Vercon Construction Co., for \$3.9 million but added that the company is no longer in business.

He declined further comment, saying reports were still being filed and other defendants such as subcontractors were still being added to the case.

Manos said he thinks it could be 2008 before the case is heard. Plaintiffs have requested a jury trial.

In the meantime, moving vans filled the parking lot Friday, one week after residents were told to leave.

Many have already found new homes in West Ashley, Goose Creek and North Charleston, but they liked where they were living,



BRAD NETTLES/STAFF

Horace Sims throws a chair into a trash bin Friday at Osprey Pointe as he assists his wife in moving from the apartment complex. Residents of Osprey Pointe Building A have been notified that they will have to relocate by March 30; Building B residents must move by April 6.

the views of the Ashley

oped they would take first when I left here," . "I never thought I to go through pack-

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